

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/29/09 **has been entered.**

An **Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Elias J. Lambiris, on 6/30/09.

Examiner's Amendment to the Claims

Cancel claims 35-39.

In claim 31, at the beginning of line 2, after "protein", insert ---mixture---.

In claim 31, line 2, after "vegetable protein", delete "or protein source" and substitute therefor --- mixture ---.

In claim 34, line 2, at the beginning of line 2, delete "source" and substitute therefor ---mixture---.

The following is an **Examiner's Statement of Reasons for Allowance**:

Claims 27-34 are directed to a method of improving the nutritional value of an animal feed comprising adding to the animal feed an acid-stable protease from

Serial Number:10/713,394
Art Unit 1656

Nocardiopsis sp. of specific amino acid sequence and specifically claimed homologs thereof. Claimed method is free of prior art. Further, even though the prior art suggests utilizing alkaline proteases to be used for improving the nutritional value of the feed (see office action of 8/16/2007) it fails to suggest a method of improving the nutritional value of animal feed utilizing an acid stable protease with structural and functional characteristics as claimed. Hence said method is also non-obvious.

Hence, claims 27-34 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maryam Monshipouri whose telephone number is (571) 272-0932. The examiner can normally be reached on Tues.-Fri., from 7:00 a.m to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on (571) 272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Serial Number:10/713,394
Art Unit 1656

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maryam Monshipouri/

Primary Examiner, Art Unit 1656

Serial Number:10/713,394
Art Unit 1656

Application/Control Number: 10/713,394
Art Unit: 1656

Page 2